IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3685 OF 2002

Smt. Prarthana Kishor Khartadkar .... Petitioner

versus

State of Maharashtra & ors. ... Respondents.

Shri R.K.Mendadkar for the petitioner.
Shri R.D.Rane GP for Respdt. 1,2 & 4.
None for Respdt. no.3.

CORAM; V.G. PALSHIKAR &
V.R. KINGAONKAR, JJ.

DATED; 19TH APRIL, 2006.

P.C:

1. Heard Mr. Mendadkar for petitioner and Shri Rane for State. None appears for Respdt. no.3.

2. By this petition, the petitioner seeks quashing of the communication dated 12-4-2002 issued by the respondent no.3. The ground is that the petitioner earlier had a certificate of belonging to a Scheduled Tribe called Thakur. When she sought validation of that certificate, it was revealed that she belings to Thakar Scheduled Tribe. Therefore she obtained a certificate of belonging to Thakar Scheduled Tribe. It was granted when it was scrutinised by the Committee and held valid. It is marked as Exh.C in page 17 where

there is a clear mention of the fact that the petitioner belongs to Scheduled Tribe called Thakar. This was obtained on 13-2-2001 and tendered to the university. However, the university continued to insist that the petitioner should file a validation certificate of her belonging to Scheduled tribe called Thakur. This communication obviously is illegal. There is no reason for the university to stop any further action in the case of the petitioner as communicated by communication dated 12-4-2002. The same is liable to be quashed and is hereby quashed. Rule made absolute . There shall be no order as to costs.

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